

# **Exhibit 4**

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**From:** Lena Konanova  
**Sent:** Wednesday, December 18, 2019 2:54 PM  
**To:** Kay, Joseph; 'Kryzowski, Marek P.'  
**Cc:** Moloney, Thomas J.; Molton, David J.; David Elsberg  
**Subject:** RE: Fairfield - Motion to Dismiss

Joe, we agree.

Best,  
Lena

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**From:** Kay, Joseph <jkay@cgsh.com>  
**Sent:** Wednesday, December 18, 2019 11:38 AM  
**To:** Lena Konanova <lkonanova@selendygay.com>; 'Kryzowski, Marek P.' <MKryzowski@brownrudnick.com>  
**Cc:** Moloney, Thomas J. <tmoloney@cgsh.com>; Molton, David J. <DMolton@brownrudnick.com>; David Elsberg <delsberg@selendygay.com>  
**Subject:** RE: Fairfield - Motion to Dismiss

Lena,

If you are willing to agree to file your complaints by no later than January 15, 2020 then this is fine. We need a date certain.

Best regards,  
Joe

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**Joseph Kay**  
Cleary Gottlieb Steen & Hamilton LLP  
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One Liberty Plaza, New York NY 10006  
T: +1 212 225 2745  
jkay@cgsh.com | clearygottlieb.com

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**From:** Lena Konanova [<mailto:lkonanova@selendygay.com>]  
**Sent:** Tuesday, December 17, 2019 9:55 PM  
**To:** Kay, Joseph <[jkay@cgsh.com](mailto:jkay@cgsh.com)>; 'Kryzowski, Marek P.' <[MKryzowski@brownrudnick.com](mailto:MKryzowski@brownrudnick.com)>  
**Cc:** Moloney, Thomas J. <[tmoloney@cgsh.com](mailto:tmoloney@cgsh.com)>; Molton, David J. <[DMolton@brownrudnick.com](mailto:DMolton@brownrudnick.com)>; David Elsberg <[delsberg@selendygay.com](mailto:delsberg@selendygay.com)>  
**Subject:** RE: Fairfield - Motion to Dismiss

Joe,

Following up on your email, and given the quickly approaching holidays, we will certify completion of the amended complaints in early January 2020.

Best,  
Lena

**From:** Lena Konanova  
**Sent:** Friday, December 13, 2019 4:58 PM  
**To:** Kay, Joseph <[jkay@cgsh.com](mailto:jkay@cgsh.com)>; 'Krzyszowski, Marek P.' <[MKrzyszowski@brownrudnick.com](mailto:MKrzyszowski@brownrudnick.com)>  
**Cc:** Moloney, Thomas J. <[tmoloney@cgsh.com](mailto:tmoloney@cgsh.com)>; Molton, David J. <[DMolton@brownrudnick.com](mailto:DMolton@brownrudnick.com)>  
**Subject:** RE: Fairfield - Motion to Dismiss

Joe,

Thanks for your email. We'll get back to you early next week.

Best,  
Lena

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**From:** Kay, Joseph <[jkay@cgsh.com](mailto:jkay@cgsh.com)>  
**Sent:** Thursday, December 12, 2019 3:12 PM  
**To:** 'Krzyszowski, Marek P.' <[MKrzyszowski@brownrudnick.com](mailto:MKrzyszowski@brownrudnick.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>  
**Cc:** Moloney, Thomas J. <[tmoloney@cgsh.com](mailto:tmoloney@cgsh.com)>; Molton, David J. <[DMolton@brownrudnick.com](mailto:DMolton@brownrudnick.com)>  
**Subject:** Fairfield - Motion to Dismiss

Marek and Lena,

Over a year ago, the Court granted the Liquidators a limited right to amend their complaints. The Court entered our settle orders eight months ago, in April, that implemented the opinion. Notwithstanding having now had many months to finish the process, the Liquidators have not finished filing their amended complaints. We have shown great patience but have been repeatedly been given estimated completion dates, which have all passed.

We see no good reason for this process having gone on for this long and are concerned that in light of Judge Bernstein's announced retirement in September of next year that he will not have enough time to resolve our renewed motions to dismiss if this unwarranted delay continues. Given the amount of time he has already devoted to this issue, we believe it would be unfair if he were not given the opportunity to complete his resolution of this phase of our dispute should he choose to do so. Accordingly, we ask you to confirm that the Liquidators will complete filing their amended complaints by Friday, December 20, 2019. Please let us know if you do not agree this deadline, so, if necessary, we can raise this issue directly with the Bankruptcy Court.

Thanks,  
Joe

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**Joseph Kay**  
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